

ONIS "TREY" GLENN, III
DIRECTOR



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2059 ♦ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700
FAX (334) 271-7950

BOB RILEY
GOVERNOR

MARCH 3, 2009

MR W M POLING
MANAGER ENGINEERING
ABC COKE
P O BOX 10246
BIRMINGHAM AL 35202-0246

RE: Final Permit
NPDES Permit Number: **AL0003417**

Dear Mr. Poling:

Attached is the issued copy of the above referenced permit. Please note the permit limitations and conditions with which the permittee must comply.

Future monitoring data should be submitted in accordance with the conditions of your permit. Please see PART I.C for your reporting requirements. To reduce the paperwork burden for both the Department and the Permittee, when submitting the required Discharge Monitoring Reports (DMRs), please **do not submit** lab worksheets, logs, reports or other paperwork not specifically required by the permit unless requested by ADEM staff.

The Department provides a voluntary web-based electronic environmental (E2) reporting system for submittal of discharge monitoring reports (DMRs). The E2 DMR system provides an alternative method to submit DMR data and allows ADEM to electronically validate, acknowledge receipt, and upload data to the state's central wastewater database. This system is expected to reduce costs to both the regulated community and ADEM and to improve the accuracy of reported compliance data. If you wish to participate in this program, the Permittee Participation Package may be downloaded online at <https://e2.adem.alabama.gov/npdes> or you may obtain a hard copy by submitting a written request or by emailing e2admin@adem.alabama.gov.

If there are questions or comments in reference to the permit or related monitoring requirements, please contact Sheri Festoso by phone at (334) 271-7851.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Sanderson", is written over a horizontal line.

Eric Sanderson, Chief
Industrial/Mining Permit Section
NPDES Permitting Branch
Water Division

Enclosure: Final Permit

pc: EPA Region IV: Final Permit

Mike McCary, P & S: Final Permit

Montgomery Field Office: Final Permit

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (Fax)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (Fax)

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (Fax)

Mobile - Coastal
4171 Commanders Drive
Mobile, AL 36615-1421
(251) 432-6533
(251) 432-6598 (Fax)



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: ABC COKE DIVISION
DRUMMOND COMPANY INC

FACILITY LOCATION: RAILROAD STREET
BIRMINGHAM, AL

PERMIT NUMBER: AL0003417

RECEIVING WATERS: FIVE MILE CREEK

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: MARCH 3, 2009

EFFECTIVE DATE: APRIL 1, 2009

EXPIRATION DATE: MARCH 31, 2014


Alabama Department of Environmental Management

**INDUSTRIAL SECTION
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT**

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

Such discharge shall be limited and monitored by the permittee as specified below:

DSN00011: Treated process wastewater and storm water runoff from coke making operations.

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>		
	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Daily Minimum</u> 6.0 mg/l	<u>Monthly Average</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type</u> <u>Seasonal</u>
Oxygen, Dissolved (DO)			6.0 mg/l		Weekly	Grab
pH			6.0 S.U.		Daily	Grab
Solids, Total Suspended	513 lbs/day	342 lbs/day			Weekly	Composite
Nitrogen, Kjeldahl Total (As N)	348 lbs/day	232 lbs/day			Weekly	Composite
Nitrogen, Kjeldahl Total (As N)	99 lbs/day	66 lbs/day			Weekly	Composite
Nitrite Plus Nitrate Total 1 Det. (As N)	REPORT lbs/day				Quarterly	Composite
Phosphorus, Total (As P)	REPORT lbs/day				Quarterly	Composite
Cyanide, Total (As CN)	26.11 lbs/day	18.27 lbs/day			2X Monthly 3/	Grab
Iron, Total (As Fe)	15.0 lbs/day	7.5 lbs/day			Monthly	Composite
Manganese, Total (As Mn)	10 lbs/day	5.0 lbs/day			Monthly	Composite

THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ Sample collection shall be separated by a period of at least 10 days.

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

Such discharge shall be limited and monitored by the permittee as specified below:

DSN0011: Treated process wastewater and storm water runoff from coke making operations.

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>		
	<u>Daily Maximum</u>	<u>Daily Minimum</u>	<u>Daily Average</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type</u>	<u>Seasonal</u>
Oil and Grease	37.5 lbs/day		25.0 lbs/day	2X Monthly 6/	Grab	-
Benzo (A) Pyrene	0.0024 lbs/day		0.0012 lbs/day	Weekly	Composite	-
Naphthalene	0.15 lbs/day		0.15 lbs/day	Monthly	Grab	-
Phenols 3/	0.30 lbs/day		0.17 lbs/day	2X Monthly 6/	Grab	-
Flow, In Conduit or Thru Treatment Plant	REPORT MGD		REPORT MGD	Daily	Totalizer	-
Cyanide, Free Available 4/	0.475 lbs/day		0.145 lbs/day	2X Monthly 6/	Grab	-
Toxicity, Ceriodaphnia Chronic 5/	0 pass(0)/fail(1)			Monthly	Grab	-
Toxicity, Pimephales Chronic 5/	0 pass(0)/fail(1)			Monthly	Grab	-
Total Ammonia (As N)	52.4 lbs/day		33.1 lbs/day	Weekly	Composite	December - April
Total Ammonia (As N)	49.5 lbs/day		33.0 lbs/day	Weekly	Composite	May - November

DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ Measured as 4 amino-antipyrone (4AAP).
- 4/ Available Cyanide shall be measured by EPA Method OIA-1677. Available cyanide is defined as free and weakly-complexed cyanide.
- 5/ See Part IV.A. for Toxicity Testing Requirements.
- 6/ Sample collection shall be separated by a period of at least 10 days.

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

Such discharge shall be limited and monitored by the permittee as specified below:

DSN0011: Treated process wastewater and storm water runoff from coke making operations.

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>		
	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type</u>
Solids, Total Dissolved	REPORT				Monthly	Composite
BOD, Carbonaceous 05 Day, 20C	320 lbs/day	213 lbs/day			Weekly	Composite
BOD, Carbonaceous 05 Day, 20C	84 lbs/day	56 lbs/day			Weekly	Composite
						December - April May - November

THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

Such discharge shall be limited and monitored by the permittee as specified below:

DSN0021: Storm water runoff from coal yard.

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>		
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type</u>	<u>Seasonal</u>
pH	-	-	-	Weekly	Grab	-
Solids, Total Suspended	-	-	70 mg/l	Weekly	Grab	-
Cyanide, Total (As CN)	REPORT lbs/day	-	-	Monthly	Grab	-
Iron, Total (As Fe)	-	-	6.0 mg/l	2X Monthly 5/	Grab	-
Manganese, Total (As Mn)	-	-	4.0 mg/l	2X Monthly 5/	Grab	-
Oil and Grease	-	-	15.0 mg/l	2X Monthly 5/	Grab	-
Benzene	REPORT lbs/day	-	-	Monthly	Grab	-
Benzo (A) Pyrene	REPORT lbs/day	-	-	Monthly	Grab	-
Naphthalene	REPORT lbs/day	-	-	Monthly	Grab	-
Phenols 4/	REPORT lbs/day	-	-	Monthly	Grab	-
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	-	-	Daily	Calculated 3/	-
Total Ammonia (As N)	REPORT lbs/day	-	-	Weekly	Grab	-

THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ To be calculated using a standing gauge.
- 4/ Measured as 4 amino-antipyrine (4AAP).
- 5/ Sample collection shall be separated by a period of at least 10 days.

B. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this permit.

2. Test Procedures

For the purpose of reporting and compliance, permittees shall use one of the following procedures:

- a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance, however should EPA approve a method with a lower minimum level during the term of this permit the permittee shall use the newly approved method.

- b. For pollutants parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by the Department, and may be developed by the permittee during permit issuance, reissuance, modification, or during compliance schedule.

In either case the measured value should be reported if the analytical result is at or above the ML and "0" reported for values below the ML.

- c. For parameters without an EPA established ML, interim ML, or matrix-specific ML, a report of less than the detection limit shall constitute compliance if the detection limit of all analytical methods is higher than the permit limit using the most sensitive EPA approved method. For the purpose of calculating a monthly average, "0" shall be used for values reported less than the detection limit.

The Minimum Level utilized for procedures A and B above shall be reported on the permittee's DMR. When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

3. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The facility name and location, point source number, date, time and exact place of sampling;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- e. The analytical techniques or methods used, including source of method and method number; and
- f. The results of all required analyses.

4. Records Retention and Production

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the above reports or the application for this permit, for a period of at least three years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director or his designee, the permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records shall not be submitted unless requested.

All records required to be kept for a period of three years shall be kept at the permitted facility or an alternate location approved by the Department in writing and shall be available for inspection.

5. Monitoring Equipment and Instrumentation

All equipment and instrumentation used to determine compliance with the requirements of this permit shall be installed, maintained, and calibrated in accordance with the manufacturer's instructions or, in the absence of manufacturer's instructions, in accordance with accepted practices. The permittee shall develop and maintain quality assurance procedures to ensure proper operation and maintenance of all equipment and instrumentation. The quality assurance procedures shall include the proper use, maintenance, and installation, when appropriate, of monitoring equipment at the plant site.

C. DISCHARGE REPORTING REQUIREMENTS

I. Reporting of Monitoring Requirements

- a. The permittee shall conduct the required monitoring in accordance with the following schedule:

MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY shall be conducted during the first full month following the effective date of coverage under this permit and every month thereafter.

QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this permit, but it should be submitted with the last DMR due for the quarter, i.e. (March, June, September and December DMRs).

SEMIANNUAL MONITORING shall be conducted at least once during the period of January through June and at least once during the period of July through December. The permittee shall conduct the semiannual monitoring during the first complete calendar semiannual period following the effective date of this permit and is then required to monitor once during each semiannual period thereafter. Semiannual monitoring may be done anytime during the semiannual period, unless restricted elsewhere in this permit, but it should be submitted with the last DMR due for the month of the semiannual period, i.e. (June and December DMRs).

ANNUAL MONITORING shall be conducted at least once during the period of January through December. The permittee shall conduct the annual monitoring during the first complete calendar annual period following the effective date of this permit and is then required to monitor once during each annual period thereafter. Annual monitoring may be done anytime during the year, unless restricted elsewhere in this permit, but it should be submitted with the December DMR.

- b. The permittee shall submit discharge monitoring reports (DMRs) on the forms provided by the Department and in accordance with the following schedule:

REPORTS OF MORE FREQUENTLY THAN MONTHLY AND MONTHLY TESTING shall be submitted on a **monthly** basis. The first report is due on the **28th** day of **May 2009**. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

REPORTS OF QUARTERLY TESTING shall be submitted on a quarterly basis. The first report is due on the **28th** day of **July 2009**. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

REPORTS OF SEMIANNUAL TESTING shall be submitted on a semiannual basis. The reports are due on the 28th day of JANUARY and the 28th day of JULY. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

REPORTS OF ANNUAL TESTING shall be submitted on an annual basis. The first report is due on the 28th day of JANUARY. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

- c. The DMR must be legible and bear an original signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this permit. If the permittee, using approved analytical methods as specified in Provision I. B. 2. monitors any discharge from a point source for a limited substance identified in Provision I. A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form and the increased frequency shall be indicated on the DMR Form. In the event no discharge from a point source identified in Provision I. A of this permit and described

more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR Form.

- d. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules and regulations, shall be signed by a "responsible official" of the permittee as defined in ADEM Administrative Code Rule 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Administrative Code Rule 335-6-6-.09 and shall bear the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- e. The permittee may certify in writing that a discharge will not occur for an extended period of time and after such certification shall not be required to submit monitoring reports. Written notification of a planned resumption of discharge shall be submitted at least 30 days prior to resumption of the discharge. If an unplanned resumption of discharge occurs, written notification shall be submitted within 7 days of the resumption. In any case, all discharges shall comply with all provisions of this permit.
- f. All Discharge Monitoring Report forms required to be submitted by this permit, the AWPCA and the Department's Rules, shall be addressed to:

**Alabama Department of Environmental Management
Permits and Services Division
Info Sys Branch/EDS
Post Office Box 301463
Montgomery, Alabama 36130-1463**

Certified and Registered Mail containing Discharge Monitoring Reports shall be addressed to:

**Alabama Department of Environmental Management
Permits and Services Division
Info Sys Branch/EDS
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059**

- g. All other correspondence and reports required to be submitted by this permit, the AWPCA and the Department's Rules, shall be addressed to:

**Alabama Department of Environmental Management
Industrial Section, Water Division
Post Office Box 301463
Montgomery, Alabama 36130-1463**

Certified and Registered Mail shall be addressed to:

**Alabama Department of Environmental Management
Industrial Section, Water Division
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059**

- h. If this permit is a reissuance, then the permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.C.1.b. above.

2. Noncompliance Notification

- a. 24-Hour Noncompliance Reporting

The permittee shall report to the Director, within 24-hours of becoming aware of any noncompliance which may endanger health or the environment. This shall include but is not limited to the following circumstances:

- (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Provision I. A. of this permit which is denoted by an "(X)",
- (2) threatens human health or welfare, fish or aquatic life, or water quality standards,

- (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a),
- (4) contains a quantity of a hazardous substance which has been determined may be harmful to public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4),
- (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset, and
- (6) is an unpermitted direct or indirect discharge of a pollutant to a water of the state (unpermitted discharges properly reported to the Department under any other requirement are not required to be reported under this provision).

The permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director or Designee a written report as provided in Part I.C.2.c. no later than five (5) days after becoming aware of the occurrence of such discharge.

- b. If for any reason, the permittee's discharge does not comply with any limitation of this permit, the permittee shall submit to the Director or Designee a written report as provided in Part I.C.2.c. below, such report shall be submitted with the next Discharge Monitoring Report required to be submitted by Part I.C.1. of this permit after becoming aware of the occurrence of such noncompliance.
- c. Any written report required to be submitted to the Director or Designee by Part I.C.2 a. or b. shall be submitted using a copy of the Noncompliance Notification Form provided with this permit and shall include the following information:
 - (1) A description of the discharge and cause of noncompliance;
 - (2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

D. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

The permittee shall give the Director written advance notice of any planned changes or other circumstances regarding a facility which may result in noncompliance with permit requirements.

2. Termination of Discharge

The permittee shall notify the Director, in writing, when all discharges from any point source(s) identified in Provision I. A. of this permit have permanently ceased. This notification shall serve as sufficient cause for instituting procedures for modification or termination of the permit.

3. Updating Information

- a. The permittee shall inform the Director of any change in the permittee's mailing address or telephone number or in the permittee's designation of a facility contact or office having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's Rules and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

4. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director or his designee may request to determine whether cause exists for modifying, revoking and re-issuing, suspending, or terminating this permit, in whole or in part, or to determine compliance with this permit.

5. Cooling Water and Boiler Water Additives

- a. The permittee shall notify the Director in writing not later than thirty (30) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in a cooling or boiler system, not identified in the application for this permit, from which discharge is allowed by this permit. Notification is not required for additives that do not contain a heavy metal(s) as an active ingredient and that pass through a wastewater treatment system prior to discharge nor is notification required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the permittee. Such notification shall include:
 - (1) name and general composition of biocide or chemical,
 - (2) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach,
 - (3) quantities to be used,
 - (4) frequencies of use,
 - (5) proposed discharge concentrations, and
 - (6) EPA registration number, if applicable.
- b. The use of a biocide or additive containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling or boiler system(s), from which a discharge regulated by this permit occurs, is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this permit or in the application for this permit or not exempted from notification under this permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.

6. Permit Issued Based On Estimated Characteristics

- a. If this permit was issued based on estimates of the characteristics of a process discharge reported on an EPA NPDES Application Form 2D (EPA Form 3510-2D), the permittee shall complete and submit an EPA NPDES Application Form 2C (EPA Form 3510-2C) no later than two years after the date that discharge begins. Sampling required for completion of the Form 2C shall occur when a discharge(s) from the process(s) causing the new or increased discharge is occurring. If this permit was issued based on estimates concerning the composition of a storm water discharge(s), the permittee shall perform the sampling required by EPA NPDES Application Form 2F (EPA Form 3510-2F) no later than one year after the industrial activity generating the storm water discharge has been fully initiated.
- b. This permit shall be reopened if required to address any new information resulting from the completion and submittal of the Form 2C and or 2F.

E. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the discharge limitations specified in Provision I. A. in accordance with the following schedule:

COMPLIANCE SHALL BE ATTAINED ON THE EFFECTIVE DATE OF THIS PERMIT

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities only when necessary to achieve compliance with the conditions of the permit.

2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization for dilution to meet water quality requirements.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. When submitted and approved, the BMP Plan shall become a part of this permit and all requirements of the BMP Plan shall become requirements of this permit.

3. Spill Prevention, Control, and Management

The permittee shall provide spill prevention, control, and/or management sufficient to prevent any spills of pollutants from entering a water of the state or a publicly or privately owned treatment works. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and which shall prevent the contamination of groundwater and such containment system shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided.

B. OTHER RESPONSIBILITIES

1. Duty to Mitigate Adverse Impacts

The permittee shall promptly take all reasonable steps to mitigate and minimize or prevent any adverse impact on human health or the environment resulting from noncompliance with any discharge limitation specified in Provision I. A. of this permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as necessary to determine the nature and impact of the noncomplying discharge.

2. Right of Entry and Inspection

The permittee shall allow the Director, or an authorized representative, upon the presentation of proper credentials and other documents as may be required by law to:

- a. enter upon the permittee's premises where a regulated facility or activity or point source is located or conducted, or where records must be kept under the conditions of the permit;
- b. have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and
- d. sample or monitor, for the purposes of assuring permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

C. BYPASS AND UPSET

1. Bypass

- a. Any bypass is prohibited except as provided in b. and c. below:
- b. A bypass is not prohibited if:

- (1) It does not cause any discharge limitation specified in Provision I. A. of this permit to be exceeded;
 - (2) It enters the same receiving stream as the permitted outfall and;
 - (3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.
 - c. A bypass is not prohibited and need not meet the discharge limitations specified in Provision I. A. of this permit if:
 - (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and
 - (3) The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.
 - d. The permittee has the burden of establishing that each of the conditions of Provision II.C.1.b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Provision I. A. of this permit.
2. Upset
 - a. A discharge which results from an upset need not meet the discharge limitations specified in Provision I. A. of this permit if:
 - (1) No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and
 - (2) No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.
 - b. The permittee has the burden of establishing that each of the conditions of Provision II. C.2.a. of this permit have been met to qualify for an exemption from the discharge limitations specified in Provision I.A. of this permit.

D. DUTY TO COMPLY WITH PERMIT, RULES, AND STATUTES

1. Duty to Comply
 - a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the AWPCA and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification; or denial of a permit renewal application.
 - b. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.
 - c. The discharge of a pollutant from a source not specifically identified in the permit application for this permit and not specifically included in the description of an outfall in this permit is not authorized and shall constitute noncompliance with this permit.
 - d. The permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this permit or to minimize or prevent any adverse impact of any permit violation.
 - e. Nothing in this permit shall be construed to preclude and negate the permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, Federal, State, or Local Government permits, certifications, licenses, or other approvals.

2. Removed Substances

Solids, sludges, filter backwash, or any other pollutant or other waste removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department Rules.

3. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facilities, including but not limited to the loss or failure of the primary source of power of the treatment facility, the permittee shall, where necessary to maintain compliance with the discharge limitations specified in Provision I. A. of this permit, or any other terms or conditions of this permit, cease, reduce, or otherwise control production and/or all discharges until treatment is restored. If control of discharge during loss or failure of the primary source of power is to be accomplished by means of alternate power sources, standby generators, or retention of inadequately treated effluent, the permittee must furnish to the Director within six months a certification that such control mechanisms have been installed.

4. Compliance with Statutes and Rules

- a. This permit has been issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36130.
- b. This permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

E. PERMIT TRANSFER, MODIFICATION, SUSPENSION, REVOCATION, AND REISSUANCE

1. Duty to Reapply or Notify of Intent to Cease Discharge

- a. If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a complete permit application for reissuance of this permit at least 180 days prior to its expiration. If the permittee does not intend to continue discharge beyond the expiration of this permit, the permittee shall submit written notification of this intent which shall be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Administrative Code Rule 335-6-6-.09.
- b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06 and should the permit not be reissued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

2. Change in Discharge

- a. The permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants or increase the quantity of a discharged pollutant such that existing permit limitations would be exceeded or that could result in an additional discharge point. This requirement applies to pollutants that are or that are not subject to discharge limitations in this permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The permittee shall notify the Director as soon as it is known or there is reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (a) one hundred micrograms per liter;
 - (b) two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dini-trophenol; and one milligram per liter for antimony;
 - (c) five times the maximum concentration value reported for that pollutant in the permit application; or
 - (2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (a) five hundred micrograms per liter;

- (b) one milligram per liter for antimony;
- (c) ten times the maximum concentration value reported for that pollutant in the permit application.

3. Transfer of Permit

This permit may not be transferred or the name of the permittee changed without notice to the Director and subsequent modification or revocation and reissuance of the permit to identify the new permittee and to incorporate any other changes as may be required under the FWPCA or AWPCA. In the case of a change in name, ownership or control of the permittee's premises only, a request for permit modification in a format acceptable to the Director is required at least 30 days prior to the change. In the case of a change in name, ownership or control of the permittee's premises accompanied by a change or proposed change in effluent characteristics, a complete permit application is required to be submitted to the Director at least 180 days prior to the change. Whenever the Director is notified of a change in name, ownership or control, he may decide not to modify the existing permit and require the submission of a new permit application.

4. Permit Modification and Revocation

- a. This permit may be modified or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
 - (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to revoke and reissue this permit instead of terminating the permit;
 - (2) If a request to transfer this permit has been received, the Director may decide to revoke and reissue or to modify the permit; or
 - (3) If modification or revocation and reissuance is requested by the permittee and cause exists, the Director may grant the request.
- b. This permit may be modified during its term for cause, including but not limited to, the following:
 - (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to modify this permit instead of terminating this permit;
 - (2) There are material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
 - (3) The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;
 - (4) A new or revised requirement(s) of any applicable standard or limitation is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA;
 - (5) Errors in calculation of discharge limitations or typographical or clerical errors were made;
 - (6) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued;
 - (7) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, permits may be modified to change compliance schedules;
 - (8) To agree with a granted variance under 301(c), 301(g), 301(h), 301(k), or 316(a) of the FWPCA or for fundamentally different factors;
 - (9) To incorporate an applicable 307(a) FWPCA toxic effluent standard or prohibition;
 - (10) When required by the reopener conditions in this permit;
 - (11) When required under 40 CFR 403.8(e) (compliance schedule for development of pretreatment program);
 - (12) Upon failure of the state to notify, as required by Section 402(b)(3) of the FWPCA, another state whose waters may be affected by a discharge permitted by this permit;
 - (13) When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions; or

- (14) When requested by the permittee and the Director determines that the modification has cause and will not result in a violation of federal or state law, regulations or rules; or

5. Permit Termination

This permit may be terminated during its term for cause, including but not limited to, the following:

- a. Violation of any term or condition of this permit;
- b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance process or the permittee's misrepresentation of any relevant facts at any time;
- c. Materially false or inaccurate statements or information in the permit application or the permit;
- d. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- e. The permittee's discharge threatens human life or welfare or the maintenance of water quality standards;
- f. Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge;
- g. New or revised requirements of any applicable standard or limitation that is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA that the Director determines cannot be complied with by the permittee.
- h. Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.

6. Permit Suspension

This permit may be suspended during its term for noncompliance until the permittee has taken action(s) necessary to achieve compliance.

7. Request for Permit Action Does Not Stay Any Permit Requirement

The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

F. COMPLIANCE WITH TOXIC POLLUTANT STANDARD OR PROHIBITION

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Provision I. A. of this permit, or controls a pollutant not limited in Provision I. A. of this permit, this permit shall be modified to conform to the toxic pollutant effluent standard or prohibition and the permittee shall be notified of such modification. If this permit has not been modified to conform to the toxic pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the permittee shall attain compliance with the requirements of the standard or prohibition within the time period required by the standard or prohibition and shall continue to comply with the standard or prohibition until this permit is modified or reissued.

G. DISCHARGE OF WASTEWATER GENERATED BY OTHERS

The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the permittee or not identified in the application for this permit or not identified specifically in the description of an outfall in this permit is not authorized by this permit.

PART III OTHER PERMIT CONDITIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under the permit shall, upon conviction, be subject to penalties as provided by the AWPCA.

2. False Statements

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be subject to penalties as provided by the AWPCA.

3. Permit Enforcement

- a. Any NPDES permit issued or reissued by the Department is a permit for the purpose of the AWPCA and the FWPCA and as such any terms, conditions, or limitations of the permit are enforceable under state and federal law.
- b. Any person required to have a NPDES permit pursuant to ADEM Administrative Code Chapter 335-6-6 and who discharges pollutants without said permit, who violates the conditions of said permit, who discharges pollutants in a manner not authorized by the permit, or who violates applicable orders of the Department or any applicable rule or standard of the Department, is subject to any one or combination of the following enforcement actions under applicable state statutes.
 - (1) An administrative order requiring abatement, compliance, mitigation, cessation, clean-up, and/or penalties;
 - (2) An action for damages;
 - (3) An action for injunctive relief; or
 - (4) An action for penalties.
- c. If the permittee is not in compliance with the conditions of an expiring or expired permit the Director may choose to do any or all of the following provided the permittee has made a timely and complete application for reissuance of the permit:
 - (1) initiate enforcement action based upon the permit which has been continued;
 - (2) issue a notice of intent to deny the permit reissuance. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;
 - (3) reissue the new permit with appropriate conditions; or
 - (4) take other actions authorized by these rules and AWPCA.

4. Relief from Liability

Except as provided in Provision II. C. 1. (Bypass) and Provision II. C. 2. (Upset), nothing in this permit shall be construed to relieve the permittee of civil or criminal liability under the AWPCA or FWPCA for noncompliance with any term or condition of this permit.

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under Section 311 of the FWPCA, 33 U.S.C. Section 1321.

C. PROPERTY AND OTHER RIGHTS

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of federal, state, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the state or of the United States.

D. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential.

E. EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES

1. If this permit was issued for a new discharger or new source, this permit shall expire eighteen months after the issuance date if construction of the facility has not begun during the eighteen-month period.
2. If this permit was issued or modified to allow the discharge of increased quantities of pollutants to accommodate the modification of an existing facility and if construction of this modification has not begun during the eighteen month period after issuance of this permit or permit modification, this permit shall be modified to reduce the quantities of pollutants allowed to be discharged to those levels that would have been allowed if the modification of the facility had not been planned.
3. Construction has begun when the owner or operator has:
 - a. begun, or caused to begin as part of a continuous on-site construction program:
 - (1) any placement, assembly, or installation of facilities or equipment; or
 - (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

F. COMPLIANCE WITH WATER QUALITY STANDARDS

1. On the basis of the permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this permit should assure compliance with the applicable water quality standards.
2. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Provision I. A. of this permit cause or contribute to a condition in contravention of state water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's Rules, or both.
3. If the Department determines, on the basis of a notice provided pursuant to this permit or any investigation, inspection or sampling, that a modification of this permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the discharge until the permit has been modified.

G. GROUNDWATER

Unless specifically authorized by a permit issued by the Department, the discharge of pollutants to groundwater is prohibited. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem and the Director may require that the permittee undertake measures to abate any such discharge and/or contamination.

H. DEFINITIONS

1. Average monthly discharge limitation - means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
3. Arithmetic Mean – means the summation of the individual values of any set of values divided by the number of individual values.
4. AWPCA - means the Alabama Water Pollution Control Act.

5. BOD – means the five-day measure of the pollutant parameter biochemical oxygen demand.
6. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
7. CBOD – means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.
8. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
9. Daily maximum - means the highest value of any individual sample result obtained during a day.
10. Daily minimum - means the lowest value of any individual sample result obtained during a day.
11. Day - means any consecutive 24-hour period.
12. Department - means the Alabama Department of Environmental Management.
13. Director - means the Director of the Department.
14. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state". Code of Alabama 1975, Section 22-22-1(b)(9).
15. Discharge Monitoring Report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.
16. DO -- means dissolved oxygen.
17. 8HC – means 8-hour composite sample, including any of the following:
 - a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
 - b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
18. EPA - means the United States Environmental Protection Agency.
19. FC – means the pollutant parameter fecal coliform.
20. Flow – means the total volume of discharge in a 24-hour period.
21. FWPCA - means the Federal Water Pollution Control Act.
22. Geometric Mean – means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).
23. Grab Sample – means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.
24. Indirect Discharger – means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.
25. Industrial User – means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category "Division D – Manufacturing" and such other classes of significant waste producers as, by regulation, the Director deems appropriate.
26. MGD – means million gallons per day.
27. Monthly Average – means, other than for fecal coliform bacteria, the arithmetic mean of all the composite or grab samples taken for the daily discharges collected in one month period. The monthly average for fecal coliform bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period.
28. New Discharger – means a person, owning or operating any building, structure, facility or installation:
 - a. from which there is or may be a discharge of pollutants;

- b. that did not commence the discharge of pollutants prior to August 13, 1979, and which is not a new source; and
 - c. which has never received a final effective NPDES permit for dischargers at that site.
- 29. NH₃-N – means the pollutant parameter ammonia, measured as nitrogen.
 - 30. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.
 - 31. Point source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, . . . from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).
 - 32. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics specified in Provision I. A. of this permit.
 - 33. Privately Owned Treatment Works – means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".
 - 34. Publicly Owned Treatment Works – means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.
 - 35. Receiving Stream – means the "waters" receiving a "discharge" from a "point source".
 - 36. Severe property damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - 37. Significant Source – means a source which discharges 0.025 MGD or more to a POTW or greater than five percent of the treatment work's capacity, or a source which is a primary industry as defined by the U.S. EPA or which discharges a priority or toxic pollutant.
 - 38. TKN – means the pollutant parameter Total Kjeldahl Nitrogen.
 - 39. TON – means the pollutant parameter Total Organic Nitrogen.
 - 40. TRC – means Total Residual Chlorine.
 - 41. TSS – means the pollutant parameter Total Suspended Solids.
 - 42. 24HC – means 24-hour composite sample, including any of the following:
 - a. the mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;
 - b. a sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected;
 - c. a sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.
 - 43. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
 - 44. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
 - 45. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.
 - 46. Weekly (7-day and calendar week) Average – is the arithmetic mean of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The calendar week is defined as beginning on Sunday and ending on Saturday.

Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

I. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART IV ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. EFFLUENT TOXICITY LIMITATIONS AND BIOMONITORING REQUIREMENTS FOR CHRONIC TOXICITY

1. The permittee shall perform short-term chronic toxicity tests on the wastewater discharges required to be tested for chronic toxicity by Part I of this permit.

a. Test Requirements

- (1) The samples shall be diluted using appropriate control water, to the Instream Waste Concentration (IWC) which is 16 % effluent. The IWC is the actual concentration of effluent, after mixing, in the receiving stream during a 7-day, 10-year flow period.
- (2) Any test result that shows a statistically significant reduction in survival, growth or reproduction between the control and the test at the 95% confidence level indicate chronic toxicity and constitute noncompliance with this permit.

b. General Test Requirements

- (1) A minimum of three (3) 24-hour composite samples shall be obtained for use in the above biomonitoring tests and collected every other day so that the laboratory receives water samples on the first, third and fifth day of the seven-day test period. The holding time for each composite sample shall not exceed 36 hours. The control water shall be a water prepared in the laboratory in accordance with the EPA procedure described in EPA 821-R-02-013 or the most current edition or another control water selected by the permittee and approved by the Department.
- (2) Effluent toxicity tests in which the control survival is less than 80%, *P. promelas* dry weight per surviving control organism is less than 0.25 mg, Ceriodaphnia number of young per surviving control organism is less than 15, Ceriodaphnia reproduction where less than 60% of surviving control females produce three broods or in which the other requirements of the EPA Test Procedure are not met shall be unacceptable and the permittee shall rerun the tests as soon as practical within the monitoring period.
- (3) In the event of an invalid test, upon subsequent completion of a valid test, the results of all tests, valid and invalid, are reported with an explanation of the tests performed and results.

c. Reporting Requirements

- (1) The permittee shall notify the Department in writing within 48 hours after toxicity has been demonstrated by the scheduled test(s).
- (2) Biomonitoring test results obtained during each monitoring period shall be summarized and reported using the appropriate Discharge Monitoring Report (DMR) form approved by the Department. In accordance with Section 2. of this part, an effluent toxicity report containing the information in Section 2. shall be included with the DMR. Two copies of the test results must be submitted to the Department no later than 28 days after the month in which the tests were performed.

d. Additional Testing Requirements

- (1) If chronic toxicity is indicated (noncompliance with permit limit), the permittee shall perform two additional valid chronic toxicity tests in accordance with these procedures to determine the extent and duration of the toxic condition. The toxicity tests shall run consecutively beginning on the first calendar week following the date on which the permittee became aware of the permit noncompliance and the results of these tests shall be submitted no later than 28 days following the month in which the tests were performed.
- (2) After evaluation of the results of the follow-up tests, the Department will determine if additional action is appropriate and may require additional testing and/or toxicity reduction measures. The permittee may be required to perform a Toxicity Identification Evaluation (TIE) and/or a Toxicity Reduction Evaluation (TRE). The TIE/TRE shall be performed in accordance with the most recent

protocols/guidance outlined by EPA (e.g., EPA/600/2-88/062, EPA/600/R-92/080, EPA/600/R-91-003, EPA/600/R-92/081, EPA/833/B-99/022 and/or EPA/600/6-91/005F, etc.)

c. Test Methods

- (1) The tests shall be performed in accordance with the latest edition of the "EPA Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms." The Larval Survival and Growth Test, Methods 1000.0, shall be used for the fathead minnow (*Pimephales promelas*) test and the Survival and Reproduction Test, Method 1002.0, shall be used for the cladoceran (*Ceriodaphnia dubia*) test.

2. EFFLUENT TOXICITY TESTING REPORTS

The following information shall be submitted with each discharge monitoring report unless otherwise directed by the Department. The Department may at any times suspend or reinstate this requirement or may decrease or increase the frequency of submittals.

a. Introduction

- (1) Facility name, location and county
- (2) Permit number
- (3) Toxicity testing requirements of permit
- (4) Name of receiving water body
- (5) Contract laboratory information (if tests are performed under contract)
 - (a) Name of firm
 - (b) Telephone number
 - (c) Address
- (6) Objective of test

b. Plant Operations

- (1) Discharge Operating schedule (if other than continuous)
- (2) Volume of discharge during sample collection to include Mean daily discharge on sample collection dates (MGD, CFS, GPM)
- (3) Design flow of treatment facility at time of sampling

c. Source of Effluent and Dilution Water

- (1) Effluent samples
 - (a) Sampling point
 - (b) Sample collection dates and times (to include composite sample start and finish times)
 - (c) Sample collection method
 - (d) Physical and chemical data of undiluted effluent samples (water temperature, pH, alkalinity, hardness, specific conductance, total residual chlorine (if applicable), etc.)
 - (e) Lapsed time from sample collection to delivery
 - (f) Lapsed time from sample collection to test initiation
 - (g) Sample temperature when received at the laboratory
- (2) Dilution Water
 - (a) Source
 - (b) Collection/preparation date(s) and time(s)
 - (c) Pretreatment (if applicable)
 - (d) Physical and chemical characteristics (water temperature, pH, alkalinity, hardness, specific conductance, etc.)

d. Test Conditions

- (1) Toxicity test method utilized
- (2) End point(s) of test
- (3) Deviations from referenced method, if any, and reason(s)
- (4) Date and time test started
- (5) Date and time test terminated
- (6) Type and volume of test chambers
- (7) Volume of solution per chamber
- (8) Number of organisms per test chamber
- (9) Number of replicate test chambers per treatment
- (10) Test temperature, pH and dissolved oxygen as recommended by the method (to include ranges)
- (11) Specify if aeration was needed
- (12) Feeding frequency, amount and type of food
- (13) Specify if (and how) pH control measures were implemented
- (14) Light intensity (mean)

e. Test Organisms

- (1) Scientific name
- (2) Life stage and age
- (3) Source
- (4) Disease(s) treatment (if applicable)

f. Quality Assurance

- (1) Reference toxicant utilized and source
- (2) Date and time of most recent chronic reference toxicant test(s), raw data and current control chart(s).
The most recent chronic reference toxicant test shall be conducted within 30 days of the routine.
- (3) Dilution water utilized in reference toxicant test
- (4) Results of reference toxicant test(s) (NOEC, IC25, PASS/FAIL, etc.), report concentration-response relationship and evaluate test sensitivity
- (5) Physical and chemical methods utilized

g. Results

- (1) Provide raw toxicity data in tabular form, including daily records of affected organisms in each concentration (including controls) and replicate
- (2) Provide table of endpoints: NOECs, IC25s, PASS/FAIL, etc. (as required in the applicable NPDES permit)
- (3) Indicate statistical methods used to calculate endpoints
- (4) Provide all physical and chemical data required by method
- (5) Results of test(s) (NOEC, IC25, PASS/FAIL, etc.), report concentration-response relationship (definitive test only), report percent minimum significant difference (PMSD) calculated for sublethal endpoints determined by hypothesis testing.

h. Conclusions and Recommendations

- (1) Relationship between test endpoints and permit limits
- (2) Actions to be taken

B. BEST MANAGEMENT PRACTICES (BMP) PLAN REQUIREMENTS

1. BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) Plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities, including material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas, to the waters of the State through plant site runoff; spillage or leaks; sludge or waste disposal; or drainage from raw material storage.

2. Plan Content

The permittee shall prepare and implement a best management practices (BMP) plan, which shall:

- a. Establish specific objectives for the control of pollutants:
 - (1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of pollutants to waters of the State due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.
 - (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g. precipitation), or circumstances to result in significant amounts of pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.
- b. Establish specific best management practices to meet the objectives identified under paragraph a. of this section, addressing each component or system capable of causing a release of significant amounts of pollutants to the waters of the State, and identifying specific preventative or remedial measures to be implemented;
- c. Establish a program to identify and repair leaking equipment items and damaged containment structures, which may contribute to contaminated storm water runoff. This program must include regular visual inspections of equipment, containment structures and of the facility in general to ensure that the BMP is continually implemented and effective.
- d. Prevent the spillage or loss of fluids, oil, grease, gasoline, etc. from vehicle and equipment maintenance activities and thereby prevent the contamination of storm water from these substances;
- e. Prevent or minimize storm water contact with material stored on site;
- f. Designate by position or name the person or persons responsible for the day to day implementation of the BMP;
- g. Provide for routine inspections, on days during which the facility is manned, of any structures that function to prevent storm water pollution or to remove pollutants from storm water and of the facility in general to ensure that the BMP is continually implemented and effective;
- h. Provide for the use and disposal of any material used to absorb spilled fluids that could contaminate storm water;
- i. Develop a solvent management plan, if solvents are used on site. The solvent management plan shall include as a minimum lists of the total organic compounds on site; the method of disposal used instead of dumping, such as reclamation, contract hauling; and the procedures for assuring that toxic organics do not routinely spill or leak into the storm water;
- j. Provide for the disposal of all used oils, hydraulic fluids, solvent degreasing material, etc. in accordance with good management practices and any applicable state or federal regulations;
- k. Include a diagram of the facility showing the locations where storm water exits the facility, the locations of any structures or other mechanisms intended to prevent pollution of storm water or to remove pollutants from storm water, the locations of any collection and handling systems;
- l. Provide control sufficient to prevent or control pollution of storm water by soil particles to the degree required to maintain compliance with the water quality standard for turbidity applicable to the waterbody(s) receiving discharge(s) under this permit;
- m. Provide spill prevention, control, and/or management sufficient to prevent or minimize contaminated storm water runoff. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and shall prevent the contamination of groundwater. The containment system shall

also be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided;

- n. Provide and maintain curbing, diking or other means of isolating process areas to the extent necessary to allow segregation and collection for treatment of contaminated storm water from process areas;
- o. Be reviewed by plant engineering staff and the plant manager; and
- p. Bear the signature of the plant manager.

3. Compliance Schedule

The permittee shall have reviewed (and revised if necessary) and fully implemented the BMP plan as soon as practicable but no later than six months after the effective date of this permit.

4. Department Review

- a. When requested by the Director or his designee, the permittee shall make the BMP available for Department review.
- b. The Director or his designee may notify the permittee at any time that the BMP is deficient and require correction of the deficiency.
- c. The permittee shall correct any BMP deficiency identified by the Director or his designee within 30 days of receipt of notification and shall certify to the Department that the correction has been made and implemented.

5. Administrative Procedures

- a. A copy of the BMP shall be maintained at the facility and shall be available for inspection by representatives of the Department.
- b. A log of the routine inspection required above shall be maintained at the facility and shall be available for inspection by representatives of the Department. The log shall contain records of all inspections performed for the last three years and each entry shall be signed by the person performing the inspection.
- c. The permittee shall provide training for any personnel required to implement the BMP and shall retain documentation of such training at the facility. This documentation shall be available for inspection by representatives of the Department. Training shall be performed prior to the date that implementation of the BMP is required.
- d. BMP Plan Modification. The permittee shall amend the BMP plan whenever there is a change in the facility or change in operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.
- e. BMP Plan Review. The permittee shall complete a review and evaluation of the BMP plan at least once every three years from the date of preparation of the BMP plan. Documentation of the BMP Plan review and evaluation shall be signed and dated by the Plant Manager.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION – INDUSTRIAL AND MUNICIPAL SECTIONS
NONCOMPLIANCE NOTIFICATION FORM

PERMITTEE NAME: _____ PERMIT NO: _____

FACILITY LOCATION: _____

DMR REPORTING PERIOD: _____

1. DESCRIPTION OF DISCHARGE: (Include outfall number (s))

2. DESCRIPTION OF NON-COMPLIANCE: (Attach additional pages if necessary):

LIST EFFLUENT VIOLATIONS (If applicable)			
Outfall Number (s)	NONCOMPLIANCE PARAMETER(S)	Result Reported (Include units)	Permit Limit (Include units)

LIST MONITORING / REPORTING VIOLATIONS (If applicable)		
Outfall Number (s)	NONCOMPLIANCE PARAMETER(S)	Monitoring / Reporting Violation (Provide description)

3. CAUSE OF NON-COMPLIANCE (Attach additional pages if necessary):

4. PERIOD OF NONCOMPLIANCE: (Include exact date(s) and time(s) or, if not corrected, the anticipated time the noncompliance is expected to continue):

5. DESCRIPTION OF STEPS TAKEN AND/OR BEING TAKEN TO REDUCE OR ELIMINATE THE NONCOMPLYING DISCHARGE AND TO PREVENT ITS RECURRENCE (attach additional pages if necessary):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

NAME AND TITLE OF RESPONSIBLE OFFICIAL (type or print)

SIGNATURE OF RESPONSIBLE OFFICIAL / DATE SIGNED



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2059 ♦ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700
FAX (334) 271-7950

FACT SHEET

APPLICATION FOR
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE TREATED WASTEWATERS
TO WATERS OF THE STATE OF ALABAMA

Date: February 25, 2008
Prepared By: Sheri Festoso
NPDES Permit No. AL0003417

1. SYNOPSIS OF APPLICATION

a. Name and Address of Applicant and Location if Different From Mailing Address

ABC Coke Division
Drummond Company
PO Box 10246
Birmingham, AL 35202

ABC Coke Division
Drummond Company
Railroad Avenue
Tarrant, AL

b. Description of Applicant's Facility or Activity Generating the Discharge

Produces coke for iron and steel industry. By-products recovered as secondary products include coke tar, ammonia sulfate, and benzene, toluene and xylene compounds.

c. Applicant's Receiving Waters

Outfall
001
002

Receiving Waters
Five Mile Creek
Five Mile Creek

Classification
Fish and Wildlife
Fish and Wildlife

For the Outfall latitude and longitude see the permit application

d. Quantitative Description of Proposed Discharges

See attached draft permit and permit application

2. PROPOSED DISCHARGE LIMITATIONS

See attached draft permit

3. STATEMENT OF BASIS FOR PERMIT LIMITATIONS

See attached permit rationale

4. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

a. Comment Period

The Alabama Department of Environmental Management proposes to issue an NPDES permit to this applicant subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

Interested persons are invited to submit written comments on the permit application or on proposed determinations to the following address:

Russell A. Kelly, Chief
Permits and Services Division
Alabama Department of Environmental Management
1400 Coliseum Blvd
(Mailing Address: Post Office Box 301463; Zip 36130-1463)
Montgomery, Alabama 36110-2059
(334) 271-7714

All comments received prior to the closure of the public notice period (see attached public notice) will be considered in the formulation of final determinations with regard to this application.

b. Public Hearing

A written request for a public hearing may also be filed with the public notice period and must state the nature of the issues proposed to be raised in the hearing. The Director shall hold a public hearing whenever it is found, on the basis of hearing requests, that there exists a significant degree of public interest in the permit application or draft permit or group of permits. A request for a hearing should be filed with the Department at the following address:

Russell A. Kelly, Chief
Permits and Services Division
Alabama Department of Environmental Management
1400 Coliseum Blvd
(Mailing Address: Post Office Box 301463; Zip 36130-1463)
Montgomery, Alabama 36110-2059
(334) 271-7714

The Director may hold a public hearing if he determines that useful information and data may be obtained thereby. Public notice of such a hearing will be published at least 30 days prior to the hearing in a newspaper having general circulation in the geographical area of the discharge and will be sent to those on the ADEM mailing list at least thirty days prior to the hearing.

c. Issuance of the Permit

Upon the expiration of the comment period and, if applicable, completion of the public hearing process a response to all significant comments will be prepared. After consideration of all comments received during the notice period or as the result of a public hearing, the response to comments, and of the requirements of the Alabama Water Pollution Control Act and appropriate regulations, the Director will make a final decision regarding permit issuance. **The permit record, including the response to comments, will be available to the public and an appointment to review the record may be made by writing the Permits and Services Division at the above address.**

Unless a request for a stay of a permit or permit provision is granted, the proposed permit contained in the Director's determination shall be issued and effective; and will be the final action of the Alabama Department of Environmental Management.

d. Appeal Procedures

Any person adversely affected by the Director's final decision may submit an appeal or a request for a stay of the permit or one or more provisions of the permit. Such requests should be received by the Environmental Management Commission within thirty days of issuance of the permit. Requests should be submitted to the Chairperson at the following address:

Alabama Environmental Management Commission
1400 Coliseum Blvd
(Mailing Address: Post Office Box 301463; Zip 36130-1463)
Montgomery, Alabama 36110-2059

All requests must:

- (i) State the name, mailing address and telephone number of the person making such request;
- (ii) Identify the interest of the appellant which is affected by the proposed issuance, denial or modification of the permit contained in the determination of the Director, and explain how and to what extent that interest would be directly and adversely affected by such determination;
- (iii) Identify any persons whom the request represents;
- (iv) State with particularity the issues proposed to be considered at the hearing;
- (v) Include any terms and conditions with which the appellant proposes to revise or replace the determinations of the Director;
- (vi) State the name, mailing address and telephone number of the attorney for the person making the request, if represented by an attorney; and
- (vii) An original signature of the person making the request or such person's attorney.

The Commission may rule on the appeal or may hold an appeals hearing prior to making a ruling.

ADEM PERMIT RATIONALE

Date: September 30, 2008
Revised: February 25, 2009
Prepared By: Sheri M. Festoso

Facility Name: **ABC Coke Division**
Location: **Railroad Avenue**
Tarrant, Alabama
Permit Number: **AL0003417**

PERMIT IS REISSUANCE DUE TO EXPIRATION

The treatment facilities for ABC Coke Division will discharge approximately 0.3 MGD of treated process water through DSN001 and storm water runoff through DSN002 to Five Mile Creek. At the discharge point, Five Mile Creek is classified as Fish & Wildlife with a 7Q₁₀ of 4.74 cfs, a 1Q₁₀ of 3.55 cfs, and an average annual flow of 42.64 cfs. Consideration of available data indicates this section of Five Mile Creek is considered a Tier I water body as defined by ADEM Administrative Rule 335-6-10-.12 and is not listed on the 2008 Alabama 303(d) list as being impaired.

Discussion:

ABC Coke Division converts coal to foundry coke for use in the iron and steel manufacturing industry. Crude coal tar, light oil, and ammonium sulfate are also produced as a by-product of the cokemaking process. Wastewater treatment includes ammonia stripping, activated sludge, aerated lagoons, anaerobic treatment, pre-aeration, and stabilization ponds.

DSN001: Treated process wastewater and storm water runoff from cokemaking operations.

Flow

Flow monitoring is proposed to be continued as daily totalized readings.

pH

According to ADEM Administrative Code 335-6-10-.09(7)(c)(2) and 335-6-10-.09(5)(e)(2), sewage, industrial wastes or other wastes discharged to streams classified as Fish & Wildlife shall not cause the pH to be less than 6.0 nor greater than 8.5 standard units (s.u.). While the EPA 40 CFR 420.13 effluent guideline does not have a pH requirement, the limit of not less than 6.0 nor greater than 9.0 s.u. shall continue at the final discharge point (this is the pH requirement for 40 CFR 420.14). This continued pH requirement has not caused a deviation from in-stream pH standards. Daily pH monitoring shall continue.

Carbonaceous Biochemical Oxygen Demand (5-day)

A seasonal waste load allocation (water quality model) was performed on the stretch of Five Mile Creek affected by the discharge from this facility during the previous permit renewal. In the previous permit, the daily maximum mass allocation for CBOD₅ was determined by multiplying the modeled monthly average by 1.5. The previous permit limits will be continued in this permit. A summary of the CBOD₅ mass allocation for this facility is shown below:

	Daily Max. (ppd)	Monthly Avg. (ppd)
CBOD ₅ (Dec-Apr)	320	213

CBOD₅ shall be monitored once per week. Attachment A to this rationale is a copy of the water quality memo summarizing the modeled allocations for CBOD₅. It was determined by the Water Quality Branch that the previous model is still applicable.

Total Suspended Solids

Total Suspended Solids (TSS) allocation for this outfall is from 40 CFR 420.13(a) By-Product Cokemaking (see Attachment B). Based on a reasonable measure of production of 4,428,000 pounds per day, the appropriate guideline allocations for TSS are a daily maximum of 1120.3 ppd and a monthly average of 580.1 ppd. However, the previous permit based the TSS limits on Best Professional Judgment (BPJ). The BPJ limits were based on treatability using the 95th percentile of the reported values for 1998-2002. These requirements were a daily maximum of 513 ppd and a monthly average of 342 ppd. The 95th percentile of these reported values was more stringent than guidelines. Since the facility demonstrated compliance with the BPJ limits, these limits will be continued to avoid backsliding.

TSS shall be monitored once per week.

Oil and Grease

Oil and Grease allocation for this outfall is from 40 CFR 420.12(a) & 420.17(a) By-Product Cokemaking. Based on a production of 4,428,000 pounds per day, the appropriate guideline allocations for O&G are a daily maximum of 144.8 ppd and a monthly average of 48.27 ppd.

However, as with other facilities of this type, a daily maximum allocation of 15 mg/l and a monthly average allocation of 10 mg/l are proposed at this outfall based on BPJ. This limitation has been proven achievable through use of gravity oil/water separators and proper Best Management Practices (BMPs). In conjunction with limitations the permit prohibits the discharge of a visible sheen. Because the facility has a consistent average discharge flow of 0.300 million gallons per day (MGD), Oil and Grease allocation shall be converted to a mass limitation. Calculations are shown below:

$$\text{Daily Maximum} = (15 \text{ mg/l}) \times (8.34) \times (0.300 \text{ MGD}) = 37.5 \text{ ppd}$$

$$\text{Monthly Average} = (10 \text{ mg/l}) \times (8.34) \times (0.300 \text{ MGD}) = 25.0 \text{ ppd}$$

Oil and Grease monitoring shall be once per two weeks.

Ammonia as Nitrogen & Total Kjeldahl Nitrogen

Ammonia as Nitrogen (NH₃-N) allocation for this outfall is from 40 CFR 420.13(a) By-Product Cokemaking. Based on a production of 4,428,000 pounds per day, the appropriate guideline allocations for NH₃-N are a daily maximum of 52.4 ppd and a monthly average of 33.1 ppd.

A seasonal waste load allocation (water quality model) was previously performed on the stretch of Five Mile Creek affected by the discharge from this facility. The model considered ammonia toxicity and oxygen demand in determining allocations for parameters of concern. Seasonal Ammonia as Nitrogen (NH₃-N) and Total Kjeldahl Nitrogen (TKN) mass allocation for Fish & Wildlife streams was determined and divided between this facility and Sloss Industries. Based on Best Professional Judgment (BPJ), the daily maximum mass allocation for NH₃-N and TKN was determined by multiplying the modeled monthly average by 1.5.

A summary of the NH₃-N and TKN modeled mass allocation for this facility is shown below:

	Daily Max. (ppd)	Monthly Avg. (ppd)
NH ₃ -N (Dec-Apr)	57	38
NH ₃ -N (May-Nov)	49.5	33
TKN (Dec-Apr)	348	232

The guideline standards for NH₃-N are more stringent than water quality standards for Dec-Apr. Water quality standards shall apply in May-Nov for NH₃-N.

NH₃-N and TKN shall be monitored once per week.

Dissolved Oxygen

The water quality model that was performed on this stretch of Five Mile Creek assumed a minimum Dissolved Oxygen level in the facility's effluent of 6.0 mg/l. Based on this assumption, seasonal allocations for BOD₅, NH₃-N, and TKN were determined for this facility. Therefore, a daily minimum of 6.0 mg/l shall continue to be required for Dissolved Oxygen at this outfall. The monitoring frequency shall be once per week.

Available Cyanide

According to ADEM Administrative Code 335-6-10, the Freshwater Acute Aquatic Life Criteria for Cyanide is 0.022 mg/l and the Freshwater Chronic Aquatic Life Criteria for Cyanide is 0.0052 mg/l. The Human Health Criteria for cyanide (fish consumption only) is 9.33 mg/l.

In accordance with the same ADEM Rule for Fish & Wildlife Classified Streams, acute aquatic life criteria shall be established using the 1Q10 flow while chronic aquatic life criteria shall be established using the 7Q10 flow of the receiving stream. Since the existing permit limits are expressed in mass, mass limits will be continued. Concentration based limits are not needed because the facility has a consistent continuous discharge. The daily maximum is 0.475 ppd and the monthly average is 0.145 ppd.

Available Cyanide shall be monitored at a frequency of once per two weeks.

Total Cyanide

Total Cyanide allocation for this outfall is from 40 CFR 420.13(a) By-Product Cokemaking. Based on a production of 4,428,000 pounds per day, the appropriate limitations for Total Cyanide are a daily maximum of 26.11 ppd and a monthly average of 18.27 ppd. Total Cyanide shall be monitored once per two weeks.

Benzo (a) Pyrene

Benzo (a) Pyrene allocation for this outfall is from 40 CFR 420.13(a) By-Product Cokemaking. Based on a production of 4,428,000 pounds per day, the appropriate limitations for Benzo (a) Pyrene are a daily maximum of 0.158 ppd and a monthly average of 0.083 ppd.

Water quality requirements for Benzo (a) Pyrene are based on Fish & Wildlife classified streams. According to ADEM Administrative Code 335-6-10, the in-stream Human Health Criteria (for consumption of fish only) for Benzo (a) Pyrene is 0.0000107 mg/l.

In accordance with ADEM Administrative Code 335-6-10-.07(2)(f), when establishing effluent limits for pollutants classified as carcinogens, the mean annual flow of the stream shall be the basis for applying the human health criteria. Calculations for the in-stream monthly average are based on a previously agreed upon split of the allocation for this parameter between ABC Coke Division, Drummond and Sloss Industries. The calculations show a daily maximum of 0.0024 ppd and a monthly average of 0.0012 ppd are the appropriate allocations for ABC Coke.

After comparing guideline allocation and water quality allocation, the water quality standards for Benzo (a) Pyrene are more stringent and shall apply at the final discharge point.

Benzo (a) Pyrene shall be monitored once per week.

Phenols (4AAP)

Phenols (measured as 4 amino-antipyrone (4AAP)) allocation for this outfall is from 40 CFR 420.13(a) By-Product Cokemaking. Based on a production of 4,428,000 pounds per day in the coke plant, the appropriate limitations for Phenols (4AAP) are a daily maximum of 0.344 ppd and a monthly average of 0.220 ppd. However, the existing daily maximum limitation of 0.30 ppd and monthly average of 0.17 ppd for Phenols (4AAP) will be continued in this re-issuance because the facility has shown the ability to meet this parameter and any increase in limitations would be considered backsliding. Phenols (4AAP) shall be monitored once per two weeks.

Naphthalene

Naphthalene allocation for this outfall is from 40 CFR 420.13(a) By-Product Cokemaking. Based on a production of 4,428,000 pounds per day in the coke plant, the appropriate limitations for Naphthalene are a daily maximum of 12.63 ppd and a monthly average of 10.44 ppd. However, the existing daily maximum limitation of 0.15 ppd for Naphthalene will be continued in this re-issuance because the facility has shown the ability to meet this parameter and any increase in limitations would be considered backsliding. Based on BPJ, the monthly average requirement shall also be 0.15 ppd. Naphthalene shall continue to be monitored once per month.

Total Iron and Total Manganese

This facility is engaged in the manufacturing of coke for use in the iron and steel manufacturing industry. Therefore, based on BPJ and their presence in the facility's reported sampling in EPA Form 2C of the re-issuance application, Total Iron and Total Manganese shall continue to be in the monitoring requirements at this outfall. The BPJ limits proposed are based on 40 CFR Part 434 Subpart B-Coal Preparation Plants and Coal Preparation Plant Associated Areas Subcategory, 40 CFR Part 434.25-New Source Performance Standards (NSPS). Point sources subject to this subpart must comply with the following limitations for these parameters:

<u>Parameter</u>	<u>Units</u>	<u>Daily Min</u>	<u>Daily Max</u>	<u>Monthly Avg.</u>
Iron, Total	mg/l	--	6.0	3.0
Manganese, Total	mg/l	--	4.0	2.0

Because the facility has a consistent average flow, Total Iron and Total Manganese allocation shall be converted to mass limitations based on the Long Term Average Flow. Calculations are shown below:

Total Iron

Daily Maximum (ppd) = (6.0 mg/l) X (8.34) X (0.300 MGD) = 15.0 ppd

Monthly Average (ppd) = (3.0 mg/l) X (8.34) X (0.300 MGD) = 7.5 ppd

Total Manganese

Daily Maximum (ppd) = (4.0 mg/l) X (8.34) X (0.300 MGD) = 10.0 ppd

Monthly Average (ppd) = (2.0 mg/l) X (8.34) X (0.300 MGD) = 5.0 ppd

Total Iron and Total Manganese shall be monitored once per month.

Nutrients

The permittee shall continue to monitor nutrients in order to collect information for receiving stream assessments. The facility receives a categorical allocation and subsequent water quality limitation for Ammonia as Nitrogen. In addition, the permit will also require monitoring for Nitrates + Nitrites and Total Phosphorus as P. No limitations are proposed at this time for these parameters, but monitoring results will be used to develop limits in the future if they are warranted to protect water quality. Monitoring for Nitrates + Nitrites and Total Phosphorus as P will be once per quarter.

Total Dissolved Solids

Based on BPJ, Total Dissolved Solids will continue to be monitored once per quarter with no limitations. This parameter is historically present in Cokemaking discharges. The magnesium shown to be present in the DSN001 discharge (EPA Form 2C of the facility's re-issuance application) is an indicator of the potential presence of dissolved solids. The information gathered from the permittee's monitoring will be useful in evaluating the effluent's impact on the receiving stream. If the Department determines that water quality is being contravened by this parameter, then the permit will be reopened.

Chronic Toxicity Biomonitoring

In view of the potential toxicity of the wastewater from synergistic effects, biomonitoring at this facility shall occur once per quarter. 7Q10 of the receiving stream at the discharge point. The calculation for the IWC is shown below:

7Q10 of Five Mile Creek at the discharge point = 4.74 cfs = 3.06 MGD
ABC Coke Division/Drummond Company Inc. Flow = 0.300 MGD

$$IWC^* = \frac{0.300 \text{ MGD}}{(0.300 \text{ MGD}) + (0.5)(3.06 \text{ MGD})} = 16\%$$

*-0.5 is associated with the facility and Sloss Industries dividing the 7Q10 between them equally.

Biomonitoring at this facility shall continue to occur once per month.

REVISION:

Selenium

Selenium monitoring was removed from the monitoring requirements. It was removed based on the review of the DMR data and reasonable potential was not exhibited for it to be discharged at levels that would not be protective of the receiving streams water quality.

DSN002: Storm water runoff from the coal yard.

Flow

Flow monitoring is proposed to be continued as daily calculated readings. Discharge from this outfall shall occur during or within 120 hours after a rain event of 1/8 inch or greater in order to allow longer holding times for settling while discharging to the receiving stream before returning to low-flow conditions.

Acidity/Alkalinity (pH)

According to ADEM Administrative Code 335-6-10-.09(7)(c)(2) and 335-6-10-.09(5)(c)(2), sewage, industrial wastes or other wastes discharged to streams classified as fish & wildlife shall not cause the pH to be less than 6.0 nor greater than 8.5 standard units (s.u.). Therefore, weekly pH monitoring is proposed for this outfall and shall not deviate from a range of 6.0 to 8.5 s.u.

Total Suspended Solids

TSS shall be limited to 70 mg/l as a daily maximum and 35 mg/l as a monthly average based on BPJ. These requirements have been proven to protect receiving stream water quality and will be a measure of the effectiveness of the storm water settling basin at the facility. TSS shall be monitored once per week.

Ammonia as Nitrogen

Ammonia as Nitrogen monitoring shall continue in this re-issuance. Reporting shall be in mass units in order to determine the combined NH₃-N loading from this facility being discharged to the receiving stream. NH₃-N shall be monitored once per week.

Total Cyanide

Total Cyanide monthly monitoring is proposed in order to evaluate the impact on the receiving stream. If the Department determines that water quality is being contravened by this parameter, then the permit will be reopened.

Benzene, Phenols (4AAP), Benzo (a) Pyrene, and Naphthalene

As a measure of the BMP effectiveness, the permit requires monthly monitoring for the additional pollutants of concern (Benzene, Phenols (4AAP), Benzo (a) Pyrene, and Naphthalene). These additional pollutants of concern are based on the permittee's application, facility operations, and BPJ.

The permit also requires that the discharge have no sheen nor visible foam or floating solids in other than trace amounts.

Total Iron and Total Manganese

This facility stores coal and coke in the drainage area for DSN002. Therefore, based on BPJ, Total Iron and Total Manganese shall be continued in the monitoring requirements at this outfall. The BPJ limits proposed are based on 40 CFR Part 434 Subpart B-Coal Preparation Plants and Coal Preparation Plant Associated Areas Subcategory, 40 CFR Part 434.25-New Source Performance Standards (NSPS). Point sources subject to this subpart must comply with the following limitations for these parameters:

<u>Parameter</u>	<u>Units</u>	<u>Daily Min</u>	<u>Daily Max</u>	<u>Monthly Avg.</u>
Iron, Total	mg/l	--	6.0	3.0
Manganese, Total	mg/l	--	4.0	2.0

Total Iron and Total Manganese shall be monitored twice per month, separated by a period of at least 10 days.

REVISION:

Oil and Grease

As with other facilities of this type, a daily maximum allocation of 15 mg/l and a monthly average allocation of 10 mg/l are proposed at this outfall based on BPJ. This limitation has been proven achievable through use of gravity oil/water separators and proper Best Management Practices (BMPs). In conjunction with limitations the permit prohibits the discharge of a visible sheen. Monitoring shall be conducted twice per month..

Facility Name: ABC Coke NPDES No: AL0003417													Human Health Consumption Fish only (ug/l)			
Freshwater FAY classification:				Freshwater Abate Upt _{CL} = 1010				Freshwater Chloride Upt _{CL} = 1010				Carbon Upt _{CL} = Annual Average Non-Carbon Upt _{CL} = 1010				
ID	Pollutant	RPS	Cardenop yes	Background from upstream source (G) Daily Use	Max Daily Discharge as reported by Applicant (G/day)	Water Quality Criteria (G)	Draft Permit Limit (G/day)	20% of Draft Permit Limit	RPS	Background from upstream source (G) Monthly Ave	Avg Daily Discharge as reported by Applicant (G/day)	Water Quality Criteria (G)	Draft Permit Limit (G/day)	20% of Draft Permit Limit	RPS	
1	Antimony			0	0	592.334	5122.557	1024.511	No	0	0	261.324	2929.914	585.983	No	
2	Arsenic		YES	0	0.0287				No	0	0				No	
3	Beryllium			0	0	4.347	37.581	7.519	No	0	0	0.644	7.216	1.443	No	
4	Cadmium			0	0	1537.813	13299.996	2659.999	No	0	0	200.051	2242.331	448.566	No	
5	Chromium Chromium II			0	0	16.000	138.369	27.674	No	0	0	11.000	123.300	24.666	No	
6	Chromium Chromium VI			0	0.00243	18.026	155.584	31.179	No	0	0	12.786	143.125	28.625	No	
7	Copper			0	0	64.521	558.068	111.614	No	0	0	2.515	28.194	5.639	No	
8	Lead			0	0.0002	2.400	20.755	4.151	No	0	0.0002	0.012	0.135	0.027	No	
9	Mercury			0	0	515.824	4480.891	892.178	No	0	0	57.292	642.349	128.470	No	
10	Nickel			0	0.167	20.000	172.962	34.592	No	0	0	5.000	56.059	11.212	No	
11	Selenium			0	0	0.978	8.444	1.689	No	0	0				No	
12	Silver			0	0				No	0	0				No	
13	Thallium			0	0	197.389	1706.862	341.372	No	0	0	198.883	2230.962	446.192	No	
14	Zinc			0	140	22.000	190.258	38.052	Yes	0	0	5.200	58.301	11.660	No	
15	Cyanide			0	0.000004				No	0	0				No	
16	Total Phenolic Compounds			0	0				No	0	0				No	
17	Hardness (As CaCO3)			0	0				No	0	0				No	
18	Acetone			0	0				No	0	0				No	
19	Acrylonitrile	YES		0	0				No	0	0				No	
20	Alkan	YES		0	0	3.000	25.944	5.189	No	0	0	1.300	14.575	2.915	No	
21	Benzene	YES		0	0				No	0	0				No	
22	Bromolam	YES		0	0				No	0	0				No	
23	Carbon Tetrachloride	YES		0	0				No	0	0				No	
24	Chloride	YES		0	0	2.400	20.755	4.151	No	0	0	0.004	0.048	0.010	No	
25	Chlorobenzene	YES		0	0				No	0	0				No	
26	Chlorobromo Methane	YES		0	0				No	0	0				No	
27	Chloroethane	YES		0	0				No	0	0				No	
28	Chloro Ethyl Vinyl Ether	YES		0	0				No	0	0				No	
29	Chloroform	YES		0	0				No	0	0				No	
30	4,4'-DDD	YES		0	0				No	0	0				No	
31	4,4'-DDE	YES		0	0				No	0	0				No	
32	4,4'-DDT	YES		0	0				No	0	0				No	
33	Dichlorobromo Methane	YES		0	0				No	0	0				No	
34	1,1-Dichloroethane	YES		0	0				No	0	0				No	
35	1,2-Dichloroethane	YES		0	0				No	0	0				No	
36	Trans-1,2-Dichloro-Ethylene	YES		0	0				No	0	0				No	
37	1,1-Dichloroethylene	YES		0	0				No	0	0				No	
38	1,2-Dichloropropane	YES		0	0				No	0	0				No	
39	1,3-Dichloropropane	YES		0	0				No	0	0				No	
40	Dieldrin	YES		0	0	0.240	2.076	0.415	No	0	0	0.056	0.628	0.126	No	
41	Ethylbenzene	YES		0	0				No	0	0				No	
42	Methyl Bromide	YES		0	0				No	0	0				No	
43	Methyl Chloride	YES		0	0				No	0	0				No	
44	Methylene Chloride	YES		0	0				No	0	0				No	
45	1,1,2,2-Tetrachloro-Ethane	YES		0	0				No	0	0				No	
46	Tetrachloro-Ethane	YES		0	0				No	0	0				No	
47	Toluene	YES		0	0	6.730	5.313	1.263	No	0	0	0.002	0.002	0.000	No	
48	Triphenyl (TBT)	YES		0	0	0.469	3.978	0.796	No	0	0	0.072	0.807	0.161	No	
49	1,1,1-Trichloroethane	YES		0	0				No	0	0				No	
50	1,1,2-Trichloroethane	YES		0	0				No	0	0				No	
51	Trichloroethylene	YES		0	0				No	0	0				No	
52	Vinyl Chloride	YES		0	0				No	0	0				No	
53	P-Chloro-M-Cresol			0	0				No	0	0				No	
54	2-Chlorophenol			0	0				No	0	0				No	
55	4-Dichlorophenol			0	0				No	0	0				No	
56	2,4-Dimethylphenol			0	0				No	0	0				No	
57	4-Dimethylphenol			0	0				No	0	0				No	
58	4-Dinitro-O-Cresol			0	0				No	0	0				No	
59	4-Dinitrophenol			0	0				No	0	0				No	
60	4,6-Dinitro-2-methylphenol	YES		0	0				No	0	0				No	
61	Dioxin (2,3,7,8-TCDD)	YES		0	0				No	0	0				No	
62	Nitrophenol			0	0				No	0	0				No	
63	3-Nitrophenol			0	0				No	0	0				No	
64	4-Nitrophenol			0	0				No	0	0				No	
65	2-Nitrophenol			0	0				No	0	0				No	
66	2,4,6-Trichlorophenol	YES		0	0	8.723	75.440	15.088	No	0	0	6.693	75.036	15.037	No	
67	Acenaphthene			0	0				No	0	0				No	
68	Acenaphthylene			0	0				No	0	0				No	
69	Anthracene			0	0				No	0	0				No	
70	Benzo(a)Anthracene	YES		0	0				No	0	0				No	
71	Benzo(a)Pyrene	YES		0	0				No	0	0				No	
72	Benzo(b)Fluoranthene			0	0				No	0	0				No	
73	Benzo(g,h,i)Fluoranthene			0	0				No	0	0				No	
74	Benzo(k)Fluoranthene			0	0				No	0	0				No	
75	Bis (2-Chloroethyl) Ether	YES		0	0				No	0	0				No	
76	Bis (2-Chloroethyl) Ether	YES		0	0				No	0	0				No	
77	Bis (2-Chloroethyl) Ether	YES		0	0				No	0	0				No	
78	Bis (2-Ethoxyethyl) Ether	YES		0	0				No	0	0				No	
79	4-Bromophenyl Phenyl Ether			0	0				No	0	0				No	
80	Butyl Benzyl Phthalate			0	0				No	0	0				No	
81	Chlorobenzene			0	0				No	0	0				No	
82	Chlorobenzene			0	0				No	0	0				No	
83	Chlorophenyl Phenyl Ether			0	0				No	0	0				No	
84	Chrysene	YES		0	0				No	0	0				No	
85	Di-N-Octyl Phthalate			0	0				No	0	0				No	
86	Di-N-Octyl Phthalate	YES		0	0				No	0	0				No	
87	Di-N-Octyl Phthalate			0	0				No	0	0				No	
88	Di-N-Octyl Phthalate			0	0				No	0	0				No	
89	1,2-Dichlorobenzene			0	0				No	0	0				No	
90	1,3-Dichlorobenzene			0	0				No	0	0				No	
91	1,4-Dichlorobenzene	YES		0	0				No	0	0				No	
92	Diethyl Phthalate			0	0				No	0	0				No	
93	Dimethyl Phthalate			0	0				No	0	0				No	
94	4-Dinitrophenol	YES		0	0				No	0	0				No	
95	6-Dinitrophenol			0	0				No	0	0				No	
96	1,2-Diphenylhydrazine	YES		0	0	0.27	1.903	0.381	No	0	0	0.056	0.628	0.126	No	
97	Endosulfan (alpha)	YES		0	0	0.27	1.903	0.381	No	0	0	0.056	0.628	0.126	No	
98	Endosulfan (beta)	YES		0	0				No	0	0				No	
99	Endosulfan sulfate	YES		0	0				No	0	0				No	
100	Enrin	YES		0	0	0.096	0.744	0.149	No	0	0	0.036</				



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

POST OFFICE BOX 301463 36130-1463 ♦ 1400 COLISEUM BLVD. 36110-2059

MONTGOMERY, ALABAMA

WWW.ADEM.STATE.AL.US

(334) 271-7700

JAMES W. WARR
DIRECTOR

BOB RILEY
GOVERNOR

April 2, 2003

MEMORANDUM

To: Brian Marshall
Industrial Section

From: Marla A. Shelley
Water Quality Branch

Subject: A revised seasonal WLA for ABC Coke Division Plant and Sloss Plant, discharging to Fivemile Creek of the Black Warrior River Basin (Jefferson County)

A revised waste load allocation (calibrated model) has been developed for two existing discharges to Fivemile Creek in Jefferson County. The ABC Coke Division Plant in NE ¼, Sec 6, T17S, R2W (Lat. 33° 35' 19", Long. 86° 46' 53") and the Sloss discharge in SW ¼, Sec 6, T17S, R2W (Lat. 33° 35' 07", Long. 86° 47' 27"). The latitude and longitude of the outfall positions were obtained using GPS. The WLA predicts seasonal effluent limits for the Fish and Wildlife (F&W) Use Classification throughout the modeled reach. Load reductions were made to both industrial facilities (*ABC Coke and SLOSS*) for CBOD₅ and NH₃-N in lbs/day until a 5.0 mg/l minimum dissolved oxygen concentration (F&W) were attained.

The model predicts that the following effluent limits will be adequate to maintain the minimum dissolved oxygen concentrations to ensure attainment of applicable water quality standards.

ABC Coke (F & W)

May – November

Wastewater Flow	=	0.30 MGD
CBOD ₅	=	56 lbs/day
NH ₃ -N	=	33 lbs/day
TKN	=	66 lbs/day
D.O.	=	6.0 mg/L

ABC Coke (F & W)

December – April

Wastewater Flow	=	0.30 MGD
CBOD ₅	=	213 lbs/day
NH ₃ -N	=	38 lbs/day
TKN	=	232 lbs/day
D.O.	=	6.0 mg/L



Sloss (F & W)
May – November

Wastewater Flow	=	5.63 MGD
CBOD ₅	=	254 lbs/day
NH ₃ -N	=	30 lbs/day
TKN	=	117 lbs/day
D.O.	=	5.0 mg/L

Sloss (F & W)
December – April

Wastewater Flow	=	5.63 MGD
CBOD ₅	=	657.4 lbs/day
NH ₃ -N	=	99.0 lbs/day
TKN	=	394 lbs/day
D.O.	=	5.0 mg/L

The ultimate to five-day CBOD ratio's for ABC Coke 12.05 and Sloss 2.955 were determined from collected field data. The ammonia limits for ABC Coke were based on effluent guideline limits. Reaeration rates were found to be comparable to those measured during the 1994 EPA Reaeration Study.

A copy of the model output and a sketch describing the modeled reach are attached.

MAS/nf

Attachments

Attachment B

ABC Coke Division/Drummond Company Inc. Permit Limit Calculations

40 CFR Part 420 Iron and Steel Manufacturing Point Source Category

Subpart A - Cokemaking Subcategory

ABC Coke Production = 4,428,000 pounds per day (4428 thousand lbs/day)

Best Available Technology Economically Achievable (BAT) (BAT is more stringent than BPT/BCT for Ammonia as Nitrogen, Cyanide, and Phenols(4AAP).

40 CFR 420.13(a)-By-Product Cokemaking

Parameter	Guideline Factors (lbs/thousand lbs of product)		Production (thousand lbs/day)	Permit Limits (lbs/day)	
	Maximum	Average		Maximum	Average
Ammonia as Nitrogen	0.00293	0.00202	4428	12.97	8.94
Cyanide	0.00297	0.00208	4428	13.15	9.21
Phenols (4AAP)	0.0000381	0.0000238	4428	0.169	0.105
Naphthalene	0.0000111	0.00000616	4428	0.049	0.027
Benzo (a) pyrene	0.0000110	0.00000612	4428	0.049	0.027

Best Practicable Technology Currently Available (BPT)/Best Conventional Technology (BCT)

40 CFR 420.12(a) & 40 CFR 420.17(a)-By-Product Cokemaking-Iron and Steel

Parameter	Guideline Factors (lbs/thousand lbs of product)		Production (thousand lbs/day)	Permit Limits (lbs/day)	
	Maximum	Average		Maximum	Average
TSS	0.253	0.131	4428	1120.3	580.1
Oil and Grease	0.0327	0.0109	4428	144.80	48.265

- This is the highest monthly production for the last twelve months and is also higher than the highest annual average for the past five years.

Attachment B (continued)

Additional Allocations from Process Area Storm Water (based on EPA Iron & Steel Development Document -April, 2002-Page 16-28)

Parameter	Maximum Increased Loading Coefficient ¹ (lbs/day/gpm)		Process Area SW (gpm)	Increase in Loading (lbs/day)	
	Maximum	Average		Maximum	Average
Ammonia as Nitrogen	0.848	0.510	40	33.92	20.40
Cyanide	0.1846	0.1288	40	7.38	5.15
Naphthalene	0.314	0.280	40	12.56	10.40

1- The coefficients referenced on Page 16-28 of the EPA Development Document are per 5 gpm. Based on a conversion of this data, the coefficients here are per 1 gpm.
For example, 0.848 lbs/day/gpm comes from 4.24 lbs/day per 5 gpm.

Additional Allocations from Process Area Storm Water (based on BPJ/95% Upper Confidence Level)²

Parameter	Increase in Loading (lbs/day)	
	Maximum	Average
Phenols (AAP)	0.104	0.070
Benzo (a) pyrene	0.089	0.045

2- See Attachment F for Confidence Level Calculations

Additional Allocations from Control Water (40 CFR 420.13(a)(3))

Previous LTA Flow	0.204 MGD
Control Water Flow	0.0864 MGD
Ratio of Control Flow/Previous Flow	42.4%

	BAT Allocations (lbs/day)		Control Percentage Allocation	Increase in Loading (lbs/day)	
	Maximum	Average		Maximum	Average
Ammonia as Nitrogen	12.97	8.94	42.4%	5.50	3.79
Cyanide	13.15	9.21	42.4%	5.58	3.91
Phenols (AAP)	0.169	0.105	42.4%	0.072	0.045
Naphthalene	0.049	0.027	42.4%	0.021	0.011
Benzo (a) pyrene	0.049	0.027	42.4%	0.021	0.011

Attachment B (continued)

Final Adjusted Effluent Limitations

Parameter	Final Allocations (lbs/day)	
	Maximum	Average
Ammonia as Nitrogen	52.39	33.14
Cyanide	28.11	18.27
Phenols (AAP)	0.344	0.220
Naphthalene	12.63	10.44
Benzo (a) pyrene	0.158	0.083

ONIS "TREY" GLENN, III
DIRECTOR



Alabama Department of Environmental Management
adem.alabama.gov
1400 Coliseum Blvd. 36110-2059 • Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700
FAX (334) 271-7950

BOB RILEY
GOVERNOR

December 8, 2008

ABC Coke Division
P O Box 10246
Birmingham AL 35202

Dear Sir:

Enclosed is a copy of the public notice concerning **NPDES Permit Number AL0003417**. NPDES notices are required to be published in the nearest Daily paper. This notice will be in the Birmingham Newson December 16, 2008. **If you do not see it in the previously mentioned newspaper on the date stated, please contact me at (334) 271-7714 as soon as possible.**

Upon publication of this notice, there will be a 30-day comment period. Should constructive suggestions for substantial changes result from public comment, we will inform you accordingly.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ena B. Missildine". The ink is dark and the signature is fluid.

Ena Missildine
Permits & Services Division

Enclosure

IND

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NOTICE OF APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM PERMIT FOR DISCHARGE INTO WATERS OF THE STATE OF ALABAMA AND
REQUEST FOR COMMENTS

NPDES Notice 09-12

The following applicants have applied for an NPDES permit to discharge treated wastewater into waters of the State of Alabama:

INDUSTRIAL FACILITIES

CALHOUN COUNTY

Anniston Army Depot, 7 Frankford Avenue, Anniston, AL 36201-4199, **NPDES Permit Number AL0002658**, location same as mailing address, for addition of proposed discharges: DSN062 through DSN065 resulting from storm water from vehicle and equipment parking at the Flexible Maintenance Facility, discharging into Unnamed Tributary to Dry Creek, classified as Fish & Wildlife, in the Coosa River Basin; and for modification of DSN001 resulting from combined treated wastewater from Industrial Wastewater Treatment Plant, Sewage Treatment Plant, and Groundwater wells, discharging into Choccolocco Creek, classified as Fish & Wildlife, in the Coosa River Basin.

JEFFERSON COUNTY

ABC Coke Division, P. O. Box 10246, Birmingham, AL 35202, **NPDES Permit Number AL0003417**, located at Railroad Avenue, Tarrant, AL, for re-issuance of existing discharges: DSN001 resulting from treated process wastewater and storm water runoff associated with coke making operations, discharging into Five Mile Creek, classified as Fish & Wildlife, in the Black Warrior River Basin; and DSN002 resulting from storm water runoff from coal yard, discharging into Five Mile Creek, classified as Fish & Wildlife, in the Black Warrior River Basin.

MOBILE COUNTY

Ashland, Inc., 701 Western Drive, Mobile, AL 36607, **NPDES Permit Number AL0056316**, location same as mailing address, for re-issuance of existing discharges: DSN001 resulting from storm water runoff discharging into Three Mile Creek, classified as Agriculture & Industry, in the Mobile River Basin.

DCP Midstream, P. O. Box 5493, Coden, AL 36523, **NPDES Permit Number AL0071986**, located at 5300B Highway 188, Coden, AL, for re-issuance of existing discharges: DSN001 through DSN005 resulting from storm water runoff associated with natural gas process, discharging into Unnamed Tributary to Jonas Bayou, classified as Fish & Wildlife, in the Escatawpa Basin.

MINERAL EXTRACTION FACILITIES

BARBOUR COUNTY

- **Mullite Company of America dba Eufaula Minerals**, 377 Highway 131, Eufaula, AL 36072, **Colon Hartzog Pit #5**, **NPDES Permit Number AL0072061**, located off Barbour County Road 72 in Barbour County, for existing discharges of treated drainage from a bauxitic clay or kaolin

Copies of the draft permits, conditions, limitations and a fact sheet as applicable describing the methodology for setting the limitations and conditions and other applicable NPDES forms and related documents are available for public inspection electronically via <http://www.adem.state.al.us/PublicNotice/PublicNotice.htm>, and at the following location Monday - Friday (except legal holidays), 8:00 am to 5:00 pm. A nominal fee for copying and/or mailing may be charged. Arrangements for copying should be made in advance.

Russell A. Kelly, Chief
Permits and Services Division
ADEM
1400 Coliseum Blvd.
[Mailing address: PO Box 301463; Zip 36130-1463]
Montgomery, Alabama 36110-2059
(334) 271-7714

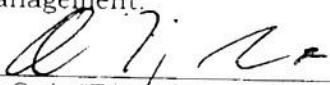
Persons wishing to comment may do so, in writing, to the Department's named contact above within 30 days following the publication date of this notice. **COMMENTERS SHOULD IDENTIFY THE APPROPRIATE NPDES NUMBER ON THE FIRST PAGE OF THEIR COMMENTS.** In order to affect final decisions, comments must offer technically substantial information that is applicable to the proposed permit.

A written request for a public hearing may also be filed within that 30-day period and must state the nature of the issues proposed to be raised in the hearing. The Director shall hold a public hearing whenever it is found, on the basis of hearing requests, that there exists a significant degree of public interest in the permit application or draft permit. The Director may also hold a hearing if he determines that it would clarify one or more issues involved in the permit decision.

After consideration of all written comments, review of any public hearing record, and consideration of the requirements of the Alabama Water Pollution Control Act, the Federal Water Pollution Control Act and applicable regulations, the Department will make a final determination. The Department will develop a response to comments, which will become part of the public record and will be available to persons upon request. Notice will be sent to any person requesting notice of the final action.

The Department maintains a list of interested individuals who are mailed legal notices regarding proposed permits. If you wish to receive such notices, contact the Permits & Services Division via telephone (334-271-7714), e-mail (permitsmail@adem.state.al.us), or postal service (P.O. Box 301463, Montgomery, AL 36130-1463).

This notice is hereby given this December 16, 2008, by authorization of the Alabama Department of Environmental Management.


 Onis "Trey" Glenn, III
 Director

**National Pollutant Discharge Elimination System (NPDES)
Alabama Department of Environmental Management Discharge Monitoring Report (DMR)**

PERMITTEE NAME: Drummond Company Inc PERMIT NUMBER: AL0003417
MAILING ADDRESS: P O BOX 10246 Birmingham, AL 35202 MONITORING POINT: 0011

MAJOR

FACILITY: Abc Coke Div Drummond Co Inc YY | MM | DD YY | MM | DD From: 09 04 01 To: 09 04 30
LOCATION: RAILROAD ST Birmingham, AL 352020246 *** NO DISCHARGE | ***
NOTE: Read instructions before completing this form

MONITORING PERIOD:

Parameter	Sample Measurement	Quantity or Loading		Units	Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average	Maximum			
OXYGEN, DISSOLVED (DO)	Sample Measurement	*****	*****	*****	*****	*****	*****			
Parameter Code: 00300 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****	*****	6.0 minimum daily	*****	*****	19 mg/l	Weekly	Grab
PH	Sample Measurement	*****	*****	*****	*****	*****	*****			
Parameter Code: 00400 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****	*****	6.0 minimum daily	*****	9.0 maximum daily	12 S.U.	Daily	Grab
SOLIDS, TOTAL SUSPENDED	Sample Measurement	*****	*****	*****	*****	*****	*****	*****		
Parameter Code: 00530 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	342 monthly average	513 maximum daily	26 lbs/day	*****	*****	*****	*****	Weekly	Composite
NITROGEN, AMMONIA TOTAL (AS N)	Sample Measurement	*****	*****	*****	*****	*****	*****	*****		
Parameter Code: 00610 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	33.1 monthly average	52.4 maximum daily	26 lbs/day	*****	*****	*****	*****	Weekly	Composite
NITROGEN, NITRATE TOTAL (AS N)	Sample Measurement	*****	*****	*****	*****	*****	*****	*****		
Parameter Code: 00625 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	232 monthly average	348 maximum daily	26 lbs/day	*****	*****	*****	*****	Weekly	Composite
CYANIDE, TOTAL (AS CN)	Sample Measurement	*****	*****	*****	*****	*****	*****	*****		
Parameter Code: 00720 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	18.27 monthly average	26.11 maximum daily	26 lbs/day	*****	*****	*****	*****	2X Monthly	Grab
IRON, TOTAL (AS FE)	Sample Measurement	*****	*****	*****	*****	*****	*****	*****		
Parameter Code: 01045 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	7.5 monthly average	15.0 maximum daily	26 lbs/day	*****	*****	*****	*****	Monthly	Composite

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT. SEE 18 U.S.C. § 1001 AND 18 U.S.C. § 1349.		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE
	(Penalties under these statutes may include fines up to \$10,000 and maximum imprisonment of between 6 months to 5 years.)				

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

National Pollutant Discharge Elimination System (NPDES)
Alabama Department of Environmental Management Discharge Monitoring Report (DMR)

MAJOR

PERMITTEE NAME: Drummond Company Inc
 MAILING ADDRESS: P O BOX 10246 Birmingham, AL 35202
 PERMIT NUMBER: AL0003417
 MONITORING POINT: 0011

MONITORING PERIOD:

FACILITY: ABC COKE DIV Drummond Co Inc
 LOCATION: RAILROAD ST Birmingham, AL 352020246
 YY | MM | DD YY | MM | DD
 From: 09 04 01 To: 09 04 30

*** NO DISCHARGE | | ***
 NOTE: Read instructions before completing this form

Parameter	Sample Measurement	Quantity or Loading		Units	Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average				
MANGANESE, TOTAL (AS MN)	Sample Measurement				*****	*****	*****			
Parameter Code: 01055 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	5.0 monthly average	10 maximum daily	26 lbs/day	*****	*****	*****		Monthly	Composite
OIL AND GREASE	Sample Measurement				*****	*****	*****			
Parameter Code: 03582 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	25.0 monthly average	37.5 maximum daily	26 lbs/day	*****	*****	*****		2X Monthly	Grab
BENZO (A) PYRENE	Sample Measurement				*****	*****	*****			
Parameter Code: 34247 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	0.0012 monthly average	0.0024 maximum daily	26 lbs/day	*****	*****	*****		Weekly	Composite
NAPHTHALENE	Sample Measurement				*****	*****	*****			
Parameter Code: 34696 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	0.15 monthly average	0.15 maximum daily	26 lbs/day	*****	*****	*****		Monthly	Grab
PHENOLS	Sample Measurement				*****	*****	*****			
Parameter Code: 46000 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	0.17 monthly average	0.30 maximum daily	26 lbs/day	*****	*****	*****		2X Monthly	Grab
FLOW, IN CONDUIT OR THRU TREATMENT PLANT	Sample Measurement				*****	*****	*****			
Parameter Code: 50050 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	report monthly average	report maximum daily	03 MGD	*****	*****	*****		Daily	Totalizer
CYANIDE, FREE AVAILABLE	Sample Measurement				*****	*****	*****			
Parameter Code: 51173 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	0.145 monthly average	0.475 maximum daily	26 lbs/day	*****	*****	*****		2X Monthly	Grab

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. <small>(Penalties under these statutes may include fines up to \$10,000 and maximum imprisonment of between 6 months to 5 years.)</small>	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

National Pollutant Discharge Elimination System (NPDES)
Alabama Department of Environmental Management Discharge Monitoring Report (DMR)

PERMITTEE NAME: Drummond Company Inc
MAILING ADDRESS: P O BOX 10246 Birmingham, AL 35202

PERMIT NUMBER: AL0003417
MONITORING POINT: 0011

MAJOR

FACILITY: Abc Coke Div Drummond Co Inc
LOCATION: RAILROAD ST Birmingham, AL 352020246

MONITORING PERIOD:
 YY | MM | DD YY | MM | DD
 From: 09 04 01 To: 09 04 30

***** NO DISCHARGE | | *****
 NOTE: Read instructions before completing this form

Parameter	Sample Measurement	Quantity or Loading		Units	Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average				
TOXICITY, CERIODAPHNIA CHRONIC	Sample Measurement	*****		9A pass(0) /fail(1)	*****	*****	*****			
Parameter Code: 61426 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	0 maximum daily		*****	*****	*****		Monthly	Grab
TOXICITY, PIMEPHALES CHRONIC	Sample Measurement	*****		9A pass(0) /fail(1)	*****	*****	*****			
Parameter Code: 61428 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	0 maximum daily		*****	*****	*****		Monthly	Grab
SOLIDS, TOTAL DISSOLVED	Sample Measurement	*****		26 lbs/day	*****	*****	*****			
Parameter Code: 70295 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	report maximum daily		*****	*****	*****		Monthly	Composite
BOD, CARBONACEOUS 05 DAY, 20C	Sample Measurement	*****		26 lbs/day	*****	*****	*****			
Parameter Code: 80092 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	213 monthly average	320 maximum daily		*****	*****	*****		Weekly	Composite
	Sample Measurement									
	Permit Requirement									
	Sample Measurement									
	Permit Requirement									
	Sample Measurement									
	Permit Requirement									
	Sample Measurement									
	Permit Requirement									

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. (Penalties under these statutes may include fines up to \$10,000 and maximum imprisonment of between 6 months to 5 years.)		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

**National Pollutant Discharge Elimination System (NPDES)
Alabama Department of Environmental Management Discharge Monitoring Report (DMR)**

MAJOR

PERMITTEE NAME: Drummond Company Inc

MAILING ADDRESS: P O BOX 10246 Birmingham, AL 35202

MONITORING PERIOD:

YY | MM | DD YY | MM | DD

FACILITY: Abc Coke Div Drummond Co Inc

LOCATION: RAILROAD ST Birmingham, AL 352020246

From: 09 04 01 To: 09 04 30

*** NO DISCHARGE | | ***

NOTE: Read instructions before completing this form

Parameter	Sample Measurement	Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average	Maximum				
PH	Sample Measurement	*****	*****	*****		*****		12 S.U.			
Parameter Code: 00400 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****		6.0 minimum daily	*****	8.5 maximum daily			Weekly	Grab
SOLIDS, TOTAL SUSPENDED	Sample Measurement	*****	*****	*****	*****			19 mg/l			
Parameter Code: 00530 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****		*****	35 monthly average	70 maximum daily			Weekly	Grab
CYANIDE, TOTAL (AS CN)	Sample Measurement	*****	*****	*****	*****	*****	*****	*****			
Parameter Code: 00720 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	report maximum daily	26 lbs/day	*****	*****	*****			Monthly	Grab
IRON, TOTAL (AS FE)	Sample Measurement	*****	*****	*****	*****			19 mg/l			
Parameter Code: 01045 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****		*****	3.0 monthly average	6.0 maximum daily			2X Monthly	Grab
MANGANESE, TOTAL (AS MN)	Sample Measurement	*****	*****	*****	*****			19 mg/l			
Parameter Code: 01055 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****		*****	2.0 monthly average	4.0 maximum daily			2X Monthly	Grab
OIL AND GREASE	Sample Measurement	*****	*****	*****	*****			19 mg/l			
Parameter Code: 03582 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	*****		*****	10.0 monthly average	15.0 maximum daily			2X Monthly	Grab
BENZENE	Sample Measurement	*****	*****	*****	*****	*****	*****	*****			
Parameter Code: 34030 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	report maximum daily	26 lbs/day	*****	*****	*****			Monthly	Grab

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE NO	DATE
I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, I BELIEVE THE SLIMITED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319 (Penalties under these statutes may include fines up to \$10,000 and maximum imprisonment of between 6 months to 5 years.)				

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

**National Pollutant Discharge Elimination System (NPDES)
Alabama Department of Environmental Management Discharge Monitoring Report (DMR)**

PERMITTEE NAME: Drummond Company Inc
MAILING ADDRESS: P O BOX 10246 Birmingham, AL 35202

PERMIT NUMBER: AL0003417
MONITORING POINT: 0021

MAJOR

FACILITY: Abc Coke Div Drummond Co Inc
LOCATION: RAILROAD ST Birmingham, AL 352020246

MONITORING PERIOD:
YY | MM | DD YY | MM | DD
From: 09 04 01 To: 09 04 30

*** NO DISCHARGE | | ***
NOTE: Read instructions before completing this form

Parameter	Sample Measurement	Quantity or Loading		Units	Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average	Maximum			
BENZO (A) PYRENE	Sample Measurement	*****			*****	*****	*****			
Parameter Code: 34247 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	report maximum daily	26 lbs/day	*****	*****	*****		Monthly	Grab
NAPHTHALENE	Sample Measurement	*****			*****	*****	*****			
Parameter Code: 34696 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	report maximum daily	26 lbs/day	*****	*****	*****		Monthly	Grab
PHENOLS	Sample Measurement	*****			*****	*****	*****			
Parameter Code: 46000 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	*****	report maximum daily	26 lbs/day	*****	*****	*****		Monthly	Grab
FLOW, IN CONDUIT OR THRU TREATMENT PLANT	Sample Measurement				*****	*****	*****			
Parameter Code: 50050 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	report monthly average	report maximum daily	03 MGD	*****	*****	*****		Daily	Calculated
AMMONIA (AS N) + UNIONIZED	Sample Measurement				*****	*****	*****			
Parameter Code: 61574 Stage Code: 1 EFFLUENT GROSS VALUE	Permit Requirement	report monthly average	report maximum daily	26 lbs/day	*****	*****	*****		Weekly	Grab
	Sample Measurement									
	Permit Requirement									
	Sample Measurement									
	Permit Requirement									

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT. SEE 18 U.S.C. § 1001 AND 11 U.S.C. § 1519. (Penalties under these statutes may include fines up to \$10,000 and imprisonment of between 6 months to 5 years.)	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

